

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 15-3432
	:	
v.	:	
	:	Board Case No.:
	:	04-CA-116883
MAZZARA TRUCKING & EXCAVATING CORP.	:	
	:	
Respondent	:	

JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before: CHAGARES, GREENAWAY, JR and SLOVITER, Circuit Judges.

This cause was submitted upon the motion of the National Labor Relations Board for a default judgment against Respondent, Mazzara Trucking & Excavating Corporation, its officers, agents, successors, and assigns, enforcing its order dated April 30, 2015, in Case No. 04-CA-116883 reported at 362 NLRB No. 79, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Mazzara Trucking & Excavating Corporation, its officers, agents, successors, and assigns, shall abide by said order (See attached order and appendix).

BY THE COURT

s/ Joseph A. Greenaway, Jr.  
Circuit Judge

DATED: January 6, 2016

NATIONAL LABOR RELATIONS BOARD

v.

MAZZARA TRUCKING & EXCAVATING CORPORATION

**ORDER**

Mazzara Trucking & Excavating Corporation, its officers, agents, successors, and assigns, shall

1. Cease and desist from
  - (a) Summoning police to interfere with union representatives filming alleged safety violations or engaging in other protected concerted activity from locations where they have authority to be present.
  - (b) In any like or related manner, interfering with, restraining, or coercing employees or union representatives in the exercise of rights guaranteed by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
  - (a) Within 14 days after service by the Region, post, at its facility in Wrightstown, New Jersey, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 4, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, the notices shall be distributed electronically, such as email, posting on an intranet or an internal site, and/or other electronic means, if the Respondent customarily communicates with employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current

employees and all former employees employed by the Respondent at any time since November 12, 2013.

- (b) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

## APPENDIX

### NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES  
COURT OF APPEALS ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

#### FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist any union

Choose representatives to bargain with us on your behalf with your employer

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT summon police to interfere with union representatives filming alleged safety violations or engaging in other protected concerted activity from locations where they have authority to be present.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce employees or union representatives in the exercise of rights guaranteed by Section 7 of the Act.

#### MAZZARA TRUCKING & EXCAVATING CORPORATION

The Administrative Law Judge's decision can be found at [www.nlr.gov/case/04-CA-116883](http://www.nlr.gov/case/04-CA-116883) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.

